

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

R.V.M. Associates, Inc.,

Plaintiff,

v.

Case No. 22-cv-13065
Hon. Matthew F. Leitman

Metal-Matic, LLC, *et al.*,

Defendants.

**ORDER (1) GRANTING IN PART AND DENYING IN PART PLAINTIFF
R.V.M. ASSOCIATES, INC.'S MOTION FOR SUMMARY JUDGMENT
(ECF No. 46), (2) GRANTING IN PART AND DENYING IN PART
DEFENDANT METAL-MATIC, LLC'S MOTION FOR SUMMARY
JUDGMENT (ECF No. 47), AND (3) GRANTING IN PART AND DENYING
IN PART DEFENDANT METAL-MATIC, LLC'S MOTION TO EXCLUDE
TESTIMONY AND OPINIONS OF PLAINTIFF'S PROFFERED EXPERT
JEFFREY A. SILAGY (ECF No. 48)**

On September 3, 2024, the Court held a hearing on (1) Plaintiff R.V.M. Associates, Inc.'s Motion for Summary Judgment (ECF No. 46), (2) Defendant Metal-Matic, LLC's Motion for Summary Judgment (ECF No. 47), and (3) Defendant Metal-Matic, LLC's Motion to Exclude Testimony and Opinions of Plaintiff's Proffered Expert Jeffrey A. Silagy (ECF No. 48). For the reasons stated on the record, **IT IS HEREBY ORDERED** that each is **GRANTED IN PART AND DENIED IN PART** as follows:

1. Plaintiff R.V.M. Associates, Inc.'s Motion for Summary Judgment (ECF No. 46) is **GRANTED** to the extent it seeks summary judgment on the affirmative defense of accord and satisfaction. It is **DENIED** in all other respects.

2. Defendant Metal-Matic, LLC's Motion for Summary Judgment (ECF No. 47) is **GRANTED** to the extent it seeks summary judgment on the promissory estoppel claim. It is **DENIED** in all other respects.

3. Defendant Metal-Matic, LLC's Motion to Exclude Testimony and Opinions of Plaintiff's Proffered Expert Jeffrey A. Silagy (ECF No. 48) is **GRANTED** to the extent it seeks to exclude Mr. Silagy's testimony on industry custom and practice outside the auto industry. It is **DENIED** in all other respects.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: September 3, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 3, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126